

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 01014 211827Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 DODE-00 NSAE-00 USIA-06 TRSE-00

ERDA-05 CIAE-00 /032 W

-----220315Z 130991 /63

R 211708Z JAN 77

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC 3351

INFO USDOC WASHDC

C O N F I D E N T I A L MOSCOW 1014

USDOC FOR BEWT/OEA

E.O. 11652: GDS

TAGS: ESTC, EEWT, UR, CU

SUBJECT: LEGALITY OF SHIPMENTS BY FOREIGN SUBSIDIARIES OF

U.S. FIRMS TO CUBA: DOW CHEMICAL

1. LOCAL REPRESENTATIVE OF DOW CHEMICAL, RUSSELL, HAS ASKED FOR ADVISE REGARDING LEGALITY OF POSSIBLE DEAL INVOLVING SALE BY DOW CHEMICAL'S EUROPEAN SUBSIDIARY OF AROUND \$2 MILLION WORTH OF CAUSTIC SODA TO SOVIETS FOR EVENTUAL DELIVERY TO CUBA. ACCORDING TO RUSSELL, SOVIETS TOLD DOW THEY WERE INTERESTED IN PURCHASING COMMODITY FROM DOW BUT WOULD NOT TAKE PHYSICAL DELIVERY OF SODA IN USSR, RATHER SOVIET SHIPS WOULD CALL AT FREEPORT, TEXAS, WHERE CAUSTIC SODA FROM DOW'S U.S. PLANTS WOULD BE LOADED FOR TRANS-SHIPMENT TO CUBA, ASSUMING PORT ENTRY REQUIREMENTS FOR SOVIET SHIPS WERE MET.

2. RUSSELL WAS CAREFUL TO EXPLAIN THAT DOW DOES NOT, RPT NOT, INTEND TO GO AHEAD WITH SALE OF CAUSTIC SODA TO SOVIETS UNDER THESE CONDITIONS WITHOUT FIRST RECEIVING AT LEAST AN ADVISORY OPINION FROM OEA REGARDING LEGALITY OF DEAL. COMATT TOLD RUSSELL THAT THERE WAS LITTLE LIKELIHOOD OF DOW'S RECEIVING GREEN LIGHT FROM USG ESPECIALLY IF, AS RUSSELL STATED, ACTUAL DELIVERY OF GOODS WOULD BE TAKEN BY SOVIETS IN U.S. FURTHER, THERE APPEARED TO BE LITTLE MORE THAN DIFFERENCE IN BOOKKEEPING BETWEEN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 MOSCOW 01014 211827Z

PURCHASE BY SOVIETS OF CAUSTIC SODA THROUGH DOW SUBSIDIARY IN EUROPE OR FROM DOW SOURCES IN U.S. WHICH WOULD SEEM TO RUN AGAINST SPIRIT OF CURRENT EMBARGO AGAINST SHIPMENTS OF U.S. GOODS TO CUBA. IN VIEW REPORTED SIZE OF DEAL, HOWEVER, COMATT AGREED TO SEEK OFFICIAL READING FROM WASHINGTON.

3. PLEASE ADVISE ASAP WHETHER DEAL AS DESCRIBED NATURE WOULD

FALL WITHIN PROSCRIPTIONS OF U.S. LAW AGAINST TRADING WITH
CUBA SO THAT WE MAY ADVISE DOW ACCORDINGLY.
TOON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EAST WEST TRADE, SUBSIDIARIES, CHEMICALS
Control Number: n/a
Copy: SINGLE
Sent Date: 21-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MOSCOW01014
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770023-0917
Format: TEL
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770130/aaaaazue.tel
Line Count: 65
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 400661d3-c288-dd11-92da-001cc4696bcc
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3539149
Secure: OPEN
Status: NATIVE
Subject: LEGALITY OF SHIPMENTS BY FOREIGN SUBSIDIARIES OF U.S. FIRMS TO CUBA: DOW CHEMICAL
TAGS: ESTC, EEWT, UR, CU, US, DOW CHEMICAL
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/400661d3-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009